United Nations S/2018/162

Security Council

Distr.: General
7 March 2018
English
Original: Arabic

Identical letters dated 27 February 2018 from the Permanent Representative of the Syrian Arab Republic to the United Nations addressed to the Secretary-General and the President of the Security Council

On instructions from my Government, I should like to convey to you the position of the Government of the Syrian Arab Republic regarding the forty-eighth report of the Secretary-General on the implementation of Security Council resolutions 2139 (2014), 2165 (2014), 2191 (2014), 2258 (2015) and 2332 (2016) and 2393 (2017) (S/2018/138).

The Government of the Syrian Arab Republic reiterates the concerns that it raised in its responses to previous reports of the Secretary-General on the implementation of the aforementioned Security Council resolutions. After reviewing the report under consideration, the Syrian Government is now more firmly convinced that the authors do not meet the minimum standards for competence and professionalism. Indeed, the are blatantly biased to the agendas of the Western States, which have strived to use these reports and the humanitarian situation in Syria as a means of tarnishing the image of the Syrian Government. The Government stresses that no report can have any legal meaning or value if it is not consistent with humanitarian principles and the principles of respect for the sovereignty, unity and territorial integrity of the Syrian Arab Republic and the provision of humanitarian support for all needy Syrians, without politicization or selectivity.

Following are some observations from the Syrian Government on the report under consideration.

- The Syrian Government reiterates its longstanding commitment to the principles of international law and international humanitarian law, as well as its commitment to domestic laws and the Syrian Constitution, all of which provide that the Syrian Government is responsible for ensuring the security and safety of Syrian citizens and restoring security and stability to their country. The Government notes that it continues to carry out its responsibilities and provide support and basic services to Syrians, regardless of their affiliations, and to all regions of Syria. This is an established fact that cannot be denied by the failure of the report's authors to mention it in their report.
- The Syrian Government rejects the politicized manner in which the report is written. The authors repeatedly assail and criticize the Government and cite the same uncorroborated information more than once in the report.
- The Government rejects the inclusion in the report of false information and inaccurate statistics from sources that are unreliable and egregiously politicized.

Please recycle

These include the reports of the Office of the United Nations High Commissioner for Human Rights (OHCHR), which are fundamentally based on false testimony provided and allegations made by members of armed terrorist groups and their families, and the testimony of the members of the "White Helmets" terrorist organization. On the other hand, the report is shamefully silent with regard to the horrific destruction and human and material losses caused by the operations of the so-called international coalition and its allied militias in Raqqah and Dayr al-Zawr.

- The Syrian Government is disappointed at the authors efforts to divert the attention of the international community from the reality that the decision of certain donor States and entities to deliberately reduce funding for the humanitarian response in Syria has had catastrophic consequences. What is more, those States and entities have made their support contingent on political conditions that are inconsistent with the principles of humanitarian work. Yet the authors chose merely to make a brief mention in paragraph 33 of this important matter and the severe effects that it has had on the lives and livelihoods of Syrians and the assistance they receive.

- The Government stresses that the recent escalation of the situation in eastern Ghutah occurred because the terrorist groups positioned in that area have been attacking residential areas and military checkpoints. They have launched more than 2,180 missiles and mortar shells at the city of Damascus, killing at least 66 civilians and injuring 474 others. Government forces have had to respond to those acts of aggression because they have a constitutional duty to ensure the safety and security of civilians. Syrian Government is surprised that the authors have continued their practice of focusing on specific parts of the country, as evidenced by the excessive attention they give to the situation in eastern Ghutah. Meanwhile, they ignore the difficult humanitarian situation in other parts of Syria, such as Fu'ah and Kafraya, that are besieged by armed terrorist groups, and in areas that are hosting displaced persons and in other part of the country. The authors also act as if the city of Raqqah and other Syrian cities that have been destroyed by the United States-led "international coalition" do not exist.

- Regrettably, the authors have persisted in using the term "besieged locations" when referring to the situation in eastern Ghutah in Rif Dimashq. At the same time, under pressure from both influential States that are members of the Security Council and those that are not, they have persistently and wilfully ignored the plight of the people of eastern Ghutah, who are besieged from within by an assortment of armed terrorist groups that are exploiting civilians and using them as human shields. Those groups have seized and monopolized humanitarian assistance, which they hand out to their supporters or sell at exorbitant prices to people in need, as also happened in the neighbourhoods of eastern Aleppo.

- It is unfortunate that the authors have ignored the plight of the thousands of abductees who are being held in the prisons of eastern Ghutah and other areas where terrorist groups are present. Those abductees include women, children and elderly persons who were taken from their homes and places of work and subjected to the worst forms of torture. The authors fail to press for those people to be evacuated, so that they can receive the medical attention they need.

- The Syrian Government emphasizes that the claims made by the authors, like those made by the Western States that have influence over them, that the Government is besieging Ghutah have been consistently refuted. Those claims were most recently refuted by reports that spoke of the Saudi Arabian regime providing "aid" to eastern Ghutah in February. This proves, first, that eastern

Ghutah is not besieged and, second, that it can be reached, as evidenced by the fact that there has been no decline in the amount of supplies, arms and ammunition that are delivered by Governments that support terrorism to the armed terrorist groups in Ghutah. In fact, the support that those armed terrorist groups receive has increased. The Syrian Government reaffirms that the provision of the above-mentioned aid by the Saudi Arabian regime violates the relevant Security Council resolutions, including resolutions 2139 (2014) and 2393 (2017), in which the Council stressed the need to respect the sovereignty and territorial integrity of the Syrian Arab Republic, and to inform the Government of the nature of the assistance that is brought in from outside the country. Moreover, as on previous occasions, the so-called aid that Saudi Arabia provided is in fact a means of delivering direct support to the members of the armed terrorist groups, because that "aid" included weapons and the munitions, missiles and mortar shells that the terrorist in eastern Ghutah have been firing at Damascus.

- The Syrian Government finds it deplorable that the authors, the Office of the United Nations High Commissioner for Human Rights, OCHA and others have failed to note and highlight the effects of the barbaric Turkish attack against the Syrian city of Afrin. The Turkish attack has caused a large number of deaths and injuries, particularly among children and women, damaged public and private property, displaced a large number of the city's inhabitants and brought about a severe shortage of humanitarian necessities. In that connection, the approach adopted by the authors and their bias towards the Turkish regime provide further evidence that they are unprofessional and incapable of assessing the humanitarian reality of the situation in Syria in an objective and unpoliticized manner, as evidenced by their reference in paragraph 8 to "allegations" of civilian deaths and injuries, as well as of displacement. That approach also serves as evidence that humanitarian access is not what is preventing the United Nations from providing assistance in Syria. Rather, the obstacle is that the United Nations does not have a management that is endowed with the professionalism and objectivity required to address the humanitarian situation in Syria.

- In its barbaric attack on Afrin, the Turkish army targeted humanitarian convoys that were delivering aid to the city's residents. The Syrian Government condemns that action by the Turkish Government, which also prevented the International Committee of the Red Cross from dispatching, in cooperation with the Syrian Arab Red Crescent, aid convoys to Afrin by refusing to guarantee that neither armed fighters affiliated with Turkey nor the Turkish army itself would not attack the convoy.

- The report states that the United Nations has successfully delivered humanitarian assistance to millions of people in need in Syria. The Syrian Government reiterates that this would not have happened were it not for the facilitation of the Syrian State and its institutions. That facilitation is recognized in paragraph 22 of the report, which states that the Syrian Government provided the facilitation required by United Nations agencies. That statement refutes all of accusations that the authors attempted to level against Syria in their report, with a view to accusing the Syrian Government of being remiss and impeding access.

- In the report under consideration, the authors continue to commit the glaring legal error of referring to the armed terrorist groups in Syria as the "non-State armed opposition", something for which they bear full responsibility politically and morally, and under international law. The Syrian Government forces' operations in the Hamah countryside and Idlib are aimed at the camps of the

terrorist groups Nusrah Front and Islamic State in Iraq and the Levant (ISIL) and the militias and other entities that fight alongside them.

- The officials in charge of OCHA have been unable to maintain the standards of transparency and provide the guarantees necessary to reassure the international community that cross-border assistance is going to the rightful beneficiaries, rather than to the armed groups. In that connection, the Syrian Government is disappointed that the Secretariat has failed to respond to the Government's request for clarification of the vague ideas that appeared in previous reports of the Secretariat, and which the authors of the report under consideration reiterate in its paragraph 31, concerning so-called partners and independent third-party companies that have been contracted to verify that assistance is reaching storage facilities and recipients. Such ideas and references are unacceptable. No United Nations official has ever discussed them with the Syrian Government, which is the primary party concerned. They also flagrantly contravene Security Council resolution 2165 (2014), and those who propagated and implemented those ideas bear full responsibility at the international level. The Syrian Government once again demands that the United Nations should supply it with the names and records of the parties that are supposed to be acting as United Nations partners. It also looks forward to receiving the information and clarification that the Secretariat was requested to provide pursuant to Security Council resolution 2393 (2017).

- The Syrian Government categorically rejects the continued silence of the authors with regard to the catastrophic consequences of operations carried out by the so-called international coalition and its members. That coalition has killed hundreds of civilians and Syrian forces that are combating ISIL and caused enormous destruction in Raqqah city. The Government rejects, in particular, the authors' continued silence with regard to the environmental damage that has been caused by the coalition's use of internationally prohibited weapons against civilians in Syria, as well as their silence in respect of the coalition's other violations of international law, international humanitarian law and human rights, which constitute war crimes and crimes against humanity. The Syrian Government again calls for the immediate dissolution of that illegitimate coalition and an end to its crimes against Syrians.

- It is unfortunate that the authors of the report, notwithstanding frequent calls from the Syrian Government and members of the Security Council, are still failing to reflect the economic and humanitarian suffering caused by the unilateral coercive economic measures imposed on Syria by the United States of America, the European Union and other States. Those measures have had numerous adverse consequences, especially in the health sector, affecting even the activities of United Nations agencies and foreign non-governmental organizations operating in Syria, and have led to the suspension of many vital projects aimed at responding to the needs of Syrians.

- The Syrian Government reiterates that that United Nations officials working in Syria should have nothing to do with any illegal militias, separatist entities, illegal "local councils" or unlicensed civil associations. The restrictions placed on the United Nations in Hasakah governorate are in line with the agendas of the separatist militias that are present in certain parts of that governorate. Those militias have placed conditions on the provision of assistance by the United Nations in that governorate. On the other hand, official Syrian agencies have given the United Nations all assistance possible.

- The Syrian Government reaffirms that the residents of Rukban camp are suffering because the United States is occupying Syrian territory and, along with

its proxy militias, preventing the State from regaining control of that area. The Government calls for an end to the American presence in the territory of the Syrian Arab Republic and for the Americans to halt the crimes that they are committing in Syrian territory.

- The reference in paragraph 7 of the report to an attack against a Médecins Sans Frontières hospital in Saraqib, Idlib governorate, is nonsense. There is no such hospital. Moreover, the Government of the Syrian Arab Republic has not authorized that organization to operate or establish hospitals in Syria, nor has it granted entry visas to the organization's personnel. The organization's personnel have therefore entered Syria illegally, just like the members of armed terrorist groups and foreign terrorist fighters. It is also futile to speak of what that organization or any other calls a "hospital" or "health centre" of which the relevant Government authorities are not aware or the establishment of which they have not authorized.

- The Syrian Government reiterates that it has warned the United Nations and the international community that armed terrorist groups, particularly those deployed in eastern Ghutah, are making preparations to use chemical weapons and then accuse the Syrian Government of having used them. The Government reaffirms that it does not possess such weapons and that it has not and will not use any such weapon.

- The Syrian Government notes that the number of international non-governmental organizations authorized to work in Syria now stands at 27, not 23 as stated in the report.

- The Syrian Government reaffirms its position concerning the International Criminal Court and the calls made for the situation in the Syrian Arab Republic to be referred to that Court. It stresses that the jurisdiction of the Court does not apply to the situation in Syria and, moreover, that the Court has lost all credibility and has been transformed into a political tool used by certain parties to attack specific States for sordid political ends that have nothing to do with the requirements of justice. The Syrian Government also reiterates what it stated in its letter to the Secretary-General regarding the serious legal flaws in the resolution on the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011 (A/71/799).

- The Government of the Syrian Arab Republic reaffirms its long-standing position that the crisis in Syria requires a political solution based on intra-Syrian dialogue under Syrian leadership without foreign intervention and without preconditions. We remind you that the success of the political process and any significant improvement in the humanitarian situation will depend, above all, on creating a climate conducive to a serious and non-politicized international and regional commitment to fighting terrorism.

- The Syrian Government stresses that such reports must focus on the humanitarian situation in Syria and should not address in any way the question of the political solution.

- The Government of the Syrian Arab Republic once again calls upon the Security Council to compel the States that support and finance armed terrorist groups to stop providing any support or financing to such groups, in implementation of the relevant Security Council resolutions on combating terrorism and the financing thereof, in particular resolutions 2170 (2014), 2178 (2014), 2199 (2015) and 2253 (2015). Compliance with and implementation of those

resolutions is the key to resolving the situation in Syria and delivering humanitarian assistance to those in need in Syria.

I should be grateful if the present letter could be circulated as a document of the Security Council.

(*Signed*) Bashar **Ja'afari**
Ambassador
Permanent Representative